

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE: PATENT APPLICATION OF:

Inventor: John F. Finley
Serial No. 09/704,808
Filing Date: 11/02/2000
Attorney Docket No: 1585.01

ART UNIT NO. 3712
Examiner: Bena Miller

misc letter

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10/15/02

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Application Title: WILD GAME CALLER HOUSING

TO THE HONORABLE COMMISSIONER OF PATENTS & TRADEMARKS
Washington, DC 20231

Interview

~~REQUEST FOR CONSIDERATION AFTER FINAL~~

Applicant John F. Finley ("Applicant"), through the undersigned attorney of record, hereby reiterates the telephone interview request made in his Response to Office Action Mailed 1 July 2002, to consider the following:

1. Objection grounds based on alleged lack of antecedent basis, after Applicant previously disclaimed that the objectionable term or phrase was a claim element or limitation, or after Applicant had quoted to the language establishing any necessary antecedent basis.
2. Objections based on the Examiner's uncertainty concerning claim terms or phrases expressly defined in the written description or previous claims.
3. Rejection grounds based upon one patent cited as prior art, when in fact the cited language or concept does not exist in that patent; regardless of Applicant's suspicion that the Examiner intended to cite a different patent issued to the same inventor as the patent cited as prior art, Applicant is

I hereby certify that this document is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the following date: October 9, 2002

Toni Lorraine Lucia
(Print or Type Name)

Toni Lorraine Lucia
(Signature)

October 9, 2002
(Date of Signature)

entitled to a determination of precisely which patent was being relied upon to reject Applicant's application, and to discuss the propriety of such a rejection.

4. Distinguishing features and limitations of the claimed invention that have never been considered, discussed or expressly dismissed by the Examiner.

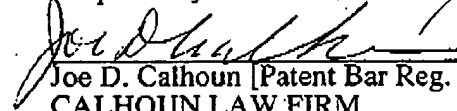
5. A rejection based upon the Examiner's erroneous belief that Applicant admitted one cited patent taught all of the limitations of the claimed invention.

6. A rejection based upon unspecified functional recitations which, according to the Examiner, are inherent in one of the cited patents.

A rejection based upon the Examiner's misunderstanding that the human palate is an element or limitation of the claimed invention.

Applicant requests a telephone interview with the Examiner at 1:00 p.m. eastern time on 15 October 2002. Based upon MPEP 713.09 and my telephone conversation with Herb Goldstein of the Docket Clerk's Office of the Patent Office, this request requires no extension or fee.

Respectfully submitted,


Joe D. Calhoun [Patent Bar Reg. #40,293]
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cc: John F. Finley